

From: Daron Haddock
To: Herb@suwa.org
Date: 5/19/04 4:09PM
Subject: March 26, 2004 DOC for Lila Canyon

Herb,

I have attached the worksheet for the administrative completeness determination for the Lila Canyon extension to the Horse Canyon Mine. It is an Adobe Acrobat PDF file so I hope you can read it. If you need an adobe reader you can download one by going to the Division website and following the download procedures shown there.

After we talked, I went back and looked at some of the records. You had asked why we determined the application to be complete in March of 2004 and not back in April of 2003. The answer is procedural. We actually determined the application to be administratively complete on February 25, 2002. This was never overturned so we were doing a technical review which was subsequently sent out on April 9, 2003. It took a long time for the company to respond to this review. Due to the amount of time and the substantial information that we received on February 26, 2004, we felt it appropriate to reaffirm the Determination of Completeness and require the Company to republish a notice in the paper and provide for a new public comment period. Thus we sent out a new Determine of Completeness on March 26, 2004. Sorry, this was not in the files when you came in. It had not been filed yet, but it is there now. I hope this clears the picture a little bit. Call if you have other questions.

Thanks, Daron

Angela, please file. Thanks.

CC: Angela Nance

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

March 26, 2004

Jay Marshall, Resident Agent
UtahAmerican Energy, Inc.
P.O. Box 986
Price, Utah 84501

Re: Determination of Administrative Competency for the Lila Canyon Extension,
UtahAmerican Energy, Inc., Horse Canyon Mine, C/007/0013, Task ID #1859,
Outgoing File

Dear Mr. Marshall:

The Division has completed a review of the information you submitted on February 26, 2004. This application is considered to be administratively complete. A copy of our review worksheet is enclosed for your information and records.

A technical review of your plan has been initiated. Technical deficiencies will be forwarded to you as reviews are completed. The Division will also coordinate with other agencies and incorporate their comments into our review process. Issues raised will need to be resolved prior to permit issuance.

At this time you should publish a Notice of Complete Application for adding Lila Canyon Extension to the Horse Canyon Mine as required by R645-300-121. A copy of the publication should be sent to the Division as soon as it is available. You should also insure that a copy of the application is on file at the appropriate County Courthouse. The Division will complete a technical analysis, which must find that your application is technically complete. We anticipate that additional information may be necessary to make your application technically complete and look forward to working with you throughout the permitting process. Please call if you have any questions.

Thank you for your help in the permitting process.

Sincerely,

Daron R. Haddock
Permit Supervisor

an
Enclosure
cc: Price Field Office
Stephen Bloch (SUWA)
Kathy Weinberg, Esq. (Jenner & Block)
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ADMINISTRATIVE COMPLETE NESS REVIEW WORKSHEET (R645-100)

DATE: March 26, 2004

REVIEWER(S): Priscilla Burton, Dave Darby, Dana Dean, Je rriann Ernstein, Jim Smith and Wayne Western,

APPLICANT: UtahAmerican Energy Inc.

MINE NAME: Horse Canyon Mine **FILE NO.:** C/007/0013

"Administratively Complete Application" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

Directions: The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. The comments column will identify the deficiency and what is necessary to correct it.

		Comments
301-112	Identification of Interests <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
100	Applicant's Business Structure <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
210	Applicant's Name/Address/Phone <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
220	Resident Agent's Name/Address/Phone <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
230	Name/Address/Phone of AML Fees Payer <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
300	Corporate Structure & Ownership <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
400	Identify Other Mining Operations in US <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
500	Surface & Mineral Ownership <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
600	Ownership Contiguous to Permit <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
700	MSHA Numbers <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
800	Interest in Contiguous Lands <u>X</u>	The information in the application is adequate to proceed with the technical analysis.

301-113	Violation Information <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
100	Suspension or Revocation Information <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
300	List of Violations - 3 Previous Years <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
301-114	Right of Entry <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
301-115	Status of Unsuitability Claims <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
301-116	Permit Term <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
301-117	Insurance) <u>X</u> Proof of Publication <u>X</u> Facilities and Structures Used in Common <u>X</u>	The information in the application is adequate to proceed with the technical analysis. The information in the application is adequate to proceed with the technical analysis. There are no facilities or structures to be used in common.
301-118	Filing Fee) <u>X</u>	A filing fee of \$5 was paid on 2/11/02.
301-123	Notarized Signature of Responsible Official <u>X</u>	A notarized signature was included in the application.
301-130	Information Collection: <u>X</u> Technical Data Accompanied by Names of Persons or Organizations that Collected and Analyzed the Data - Dates of Collections - and Analysis of the Data and Description of the Methodology Used to Collect and Analyze Data	The information in the application is adequate to proceed with the technical analysis.

301-200	Soils <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
211	Description of Pre-mining Soil Resources <u>X</u>	
2 2 1	Prime Farmland Investigation <u>X</u>	
2 2 2	Soil Survey <u>X</u>	
2 2 4	Substitute Topsoil Info (When Proposed) <u>X</u>	
2 3 0	Operation Plan Topsoil Handling/Removal/Storage <u>X</u>	
2 4 0	Reclamation Plan Soil Redistribution/Stabilization <u>X</u>	

301-300	Biology <u>X</u>	
3 2 0	Vegetation Information <u>X</u>	<p>The plan includes vegetation information and productivity estimates for the disturbed and reference areas, as well as discussions of plant communities associated with surface water features.</p> <p>The plan includes a vegetation map that illustrates the plant communities, but does not include accompanying discussions on the plant communities within the permit area.</p>

322	Fish and Wildlife Information <u>X</u>	<p>The plan includes fish and wildlife information and results of the 2003 raptor survey for the permit and adjacent areas.</p> <p>The plan includes partial information on TES species occurrence and impact assessments as well as critical habitat resources. The Permittee, however, will need to more thoroughly address this part of the regulations.</p> <p>The plan includes results of ground-truthing surveys on certain TES species likely to occur in and adjacent to the permit area.</p> <p>The plan addresses the MSO in the Lila Canyon Mine area. The Permittee, however, did not provide the results of a ground-truthing survey for the MSO.</p> <p>The Permittee must conduct the MSO survey in the areas designated as suitable habitats within a one-half mile radius of mining activities. The Permittee must provide results of the MSO ground-truthing survey.</p> <p>The plan includes a table (Appendix 7-7) that briefly describes fish and macroinvertebrate associated with springs and seeps.</p>
323	Maps/Photos Vegetation-Fish-Wildlife Areas <u>X</u>	The plan includes vegetation map showing the reference area and monitoring sites, and includes a wildlife map.
330	Operation Plan Vegetation-Fish-Wildlife Protection <u>X</u>	<p>The plan addresses the protection and enhancement plans for fish and wildlife.</p> <p>The plan addresses operation and reclamation procedures/designs that will minimize impacts.</p>
341	Reclamation Plan for Revegetation <u>X</u>	The plan addresses contemporaneous and final reclamation plans.
342	Fish & Wildlife Plan for Reclamation Phase <u>X</u>	
301-400	Land Use and Air Quality <u>X</u>	The information in the application is adequate to proceed with the technical analysis.
411	Pre-Mining Land Use Information (Includes Cultural Resources) <u>X</u>	The plan includes a cultural and historic evaluation.
412	Post-Mining Land Use Information <u>X</u>	
301-500	Engineering <u>X</u>	This section deals with general engineering issues.

510 520	General Description of Operation Plan (Maps, Locations, Cross-Sections, Narrative, Descriptions & Calculations)	<u>X</u>	The Permittee described the maps in the text of the mine plan, described inspection scheduled and how to handle emergencies.
522	Coal Recovery Description	<u>X</u>	A description of coal recovery is given and references to the R2P2
523	Mining Methods	<u>X</u>	Longwall mining will be used where possible, room and pillar mining will be used in no subsidence zones.
524	Blasting and Explosives Plan	<u>X</u>	A general plan is given. The Permittee will submit detailed plans later as allowed by the rules.
525	Subsidence Control Plan	<u>X</u>	Subsidence plan may require modification as a result of subsidence self-evaluation review.
526	Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities	<u>X</u>	The Permittee plans to build a new facilities to support the mine
527	Transportation Facilities (Including Plans & Maps)	<u>X</u>	The only transportaion facilities that will be built are roads and conveyors in the disturbed area.
528	Coal Mine Waste Plans (Description & Designs)	<u>X</u>	Coal mine waste will either be used for structural fill or placed in a refuse pile.
529	Management of Mine Openings (Design)	<u>X</u>	All underground openings will be sealed in accordance the DÖGM and MSHA rules.
531	General Plans for Structures	<u>X</u>	The Permittee must build new facilities in order to develop the Lila Canyon area.
532	Sediment Control	<u>X</u>	Sediment pond is major sediment control device.
533	Impoundments	<u>X</u>	The sediment pond will be the only impoundment

301-534	Roads (Plans, Drawings, Designs, & Specifications)	<u>X</u>	The road to the tunnel entrance has designed. There are haulways in the pad area.
535	Spoil	<u>X</u>	No spoil will be generated.
536	Coal Mine Waste	<u>X</u>	Coal mine waste will be seperated into fill material and refuse material.
537	Regraded Slopes	<u>X</u>	Since no mine has occurred in the area ther are no regraded slopes

540 541-542	Reclamation Narrative, Maps and Plans	<u>X</u>	A reclamation plan is included.
551	Casing and Sealing Underground Openings	X	Underground openings will be sealed.
553	Backfilling and Grading Description	<u>X</u>	Backfilling and grading plans are included. The area is mostly flat.

301-600	Geology	<u>X</u>	
6 2 1	Description of Geology (Permit & Adjacent Area)	<u>X</u>	
6 2 2	Geologic Cross-Sections, Maps, and Plans	<u>X</u>	
6 3 0	Plans for Casing and Sealing Holes	<u>X</u>	

301-700	Hydrology	<u>X</u>	
7 2 1	Description of Hydrologic Resources (Permit and Adjacent Area)	<u>X</u>	
7 2 2	Cross-Sections and Maps Subsurface Water - Surface Water - Monitoring Stations - Wells	<u>X</u>	
7 2 3	Sampling and Analysis	<u>X</u>	
7 2 4	Baseline Information Ground Water - Surface Water - Geology - Climatological & Supplemental; If Needed	<u>X</u>	
7 2 8	PHC Determination	<u>X</u>	
7 3 0	General Operation Plan Minimize Disturbance to Hydrologic Balance & Compliance with Clean Water Act	<u>X</u>	
7 3 1	Ground and Surface Water Protection	<u>X</u>	
7 3 2	Ground and Surface Water Monitoring	<u>X</u>	

301-740	Plans and Designs	<u>X</u>	
	Operation and Reclamation Plan		
	Sediment Control Measures		
	Siltation Structures	<u>X</u>	
	Sediment Ponds	<u>X</u>	
	Other Treatment Facilities	<u>X</u>	
	Diversions) <u>X</u>	
	Road Drainage	<u>X</u>	
	Impoundments	<u>X</u>	
	Discharge Structures	<u>X</u>	
	Disposal of Excess Spoil	<u>X</u>	
	Coal Mine Waste	<u>X</u>	
	Disposal of Non-Coal Mine Waste	<u>X</u>	
	Casing and Sealing of Wells	<u>X</u>	

301-800	Bonding and Insurance	<u>X</u>	Bond section is provided.
820	Applicant Have Adequate Bond at Permit Issuance	<u>X</u>	Permittee has insurance for the Horse Canyon Mine.
830	Bond Estimate and Calculations Provided	<u>X</u>	Information on reclamation costs are provided.
890	Certificate of Insurance Provided	<u>X</u>	On file with the Division.

302-200	Special Categories of Mining	<u>X</u>	NA
210	Experimental Practices Mining	<u>X</u>	NA
220	Mountaintop Removal Mining	<u>X</u>	NA
230	Steep Slope Mining	<u>X</u>	NA
240	Auger Mining	<u>X</u>	NA
250	In Situ Processing Activities	<u>X</u>	NA

302-260	Coal Processing Plants (Not Located Within Permit Area of Mine)	<u>X</u>	NA
270	Variances From Approximate Original Contour Restoration Requirements	<u>X</u>	NA
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities	<u>X</u>	NA
290	Small Operator Assistance Program (SOAP)	<u>X</u>	NA

302-300	Special Areas of Mining	<u>X</u>	NA
301	Prime Farmland	<u>X</u>	NA
302	Alluvial Valley Floors	<u>X</u>	NA

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